

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

ROBERT H. ZEBIB,

Debtor.

Case No. 05-54680
Chapter 7
Judge Thomas J. Tucker

**ORDER DENYING TRUSTEE'S MOTION TO
COMPEL COMPLIANCE WITH SUBPOENA AND
FOR FINDING OF CIVIL CONTEMPT**

This case is before the Court on the "Trustee's Motion to Compel Compliance With Subpoena and For Finding Of Civil Contempt," filed on May 5, 2006 (Docket # 22), seeking an order (1) finding Sarah Zebib in civil contempt for her failure to respond to two Subpoenas the Trustee served on her: the first having been served on July 12, 2005, and the second on February 24, 2006; and (2) requiring Sara Zebib to pay the Trustee \$500 for the fees and expenses incurred in filing and prosecuting this motion. On May 31, 2006, the Trustee filed a "Certificate of No Response."

In order for the subpoenas at issue to be valid and enforceable, the Trustee was required to obtain an order under Fed.R.Bankr.P. 2004(c) authorizing him to subpoena Sarah Zebib for documents, or to conduct other discovery. He did not do so. Accordingly,

IT IS ORDERED that the "Trustee's Motion to Compel Compliance With Subpoena and For Finding Of Civil Contempt," filed on May 5, 2006 (Docket # 22), is DENIED.

Date: June 26, 2006

/s/ Thomas J. Tucker
Thomas J. Tucker
United States Bankruptcy Judge